

PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201 <u>5</u> - <u>31</u>	
Acceptance Date:	<u>3-19-15</u>
Website Posting Date:	<u>3-19-15</u>
Determination Date:	<u>3-19-15</u>
Planning Commission Date:	<u>N/A</u>
Expiration Date:	
Planner Assigned:	<u>JG</u>

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	STEVE SCHUEPPERT
Address:	444 WRIGHTWOOD AVE. #C CHICAGO, ILLINOIS 60614
Phone:	808 652 9440
Email:	BWAYBROWN@GMAIL.COM
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: <u>MARCH 10, 2015</u>	

Project Information (attach additional sheets, if necessary)	
County Zoning District:	R-20 KEAWALOA TRACT
Tax Map Key(s):	(4) 2-6-007:013 0009
Land Area:	2.27 ACRES
Nature of Development: (Description of proposed Structure of subdivision)	EXISTING MULTI UNIT CONDO DEVELOPMENT UNIT #120 WHALERS COVE. <100 SF INTERIOR BATHROOM REMODEL ONLY. NO CHANGE TO EXTERIOR IN ANY WAY.

**NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)**

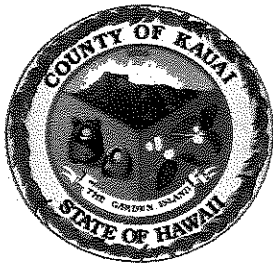
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☒ Properties Abutting the Shoreline
 - ☒ Project's approximate distance from shoreline: 150' SEE ATTACHED MAP
- ☐ Properties Not Abutting the Shoreline
 - ☐ Project's approximate distance from shoreline: _____
- ☐ Additional Information:
 - ☐ Closest distance of improvement(s) from Shoreline is approximately _____ ft.
 - ☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

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- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

FLAT AND COMPLETELY BUILT OUT

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

ELEVATED WITH ROCKY SHORELINE

- ☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead):

☐ Is the armoring permitted/authorized?

☐ Date of authorization (attach copy of authorization letter):

- ☒ Is property in coastal floodplain (if checked, what zone)? SEE PHAR ATTACHED

- ☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kauai harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

Adam Brown

MARCH 10, 2015

Signature

Date

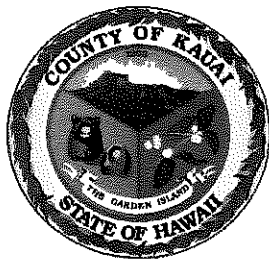
Applicability (to be completed by Planning Department)

- ☒ Setback Determination necessary. Requirements of Ordinance No. 979 apply, submit full application.

[Signature]
Planning Director or designee

3-19-15

Date



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

Exemption Determination

- ☒ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☐ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☒ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

- ☒ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination required established under §8-27.8


Planning Director or designee

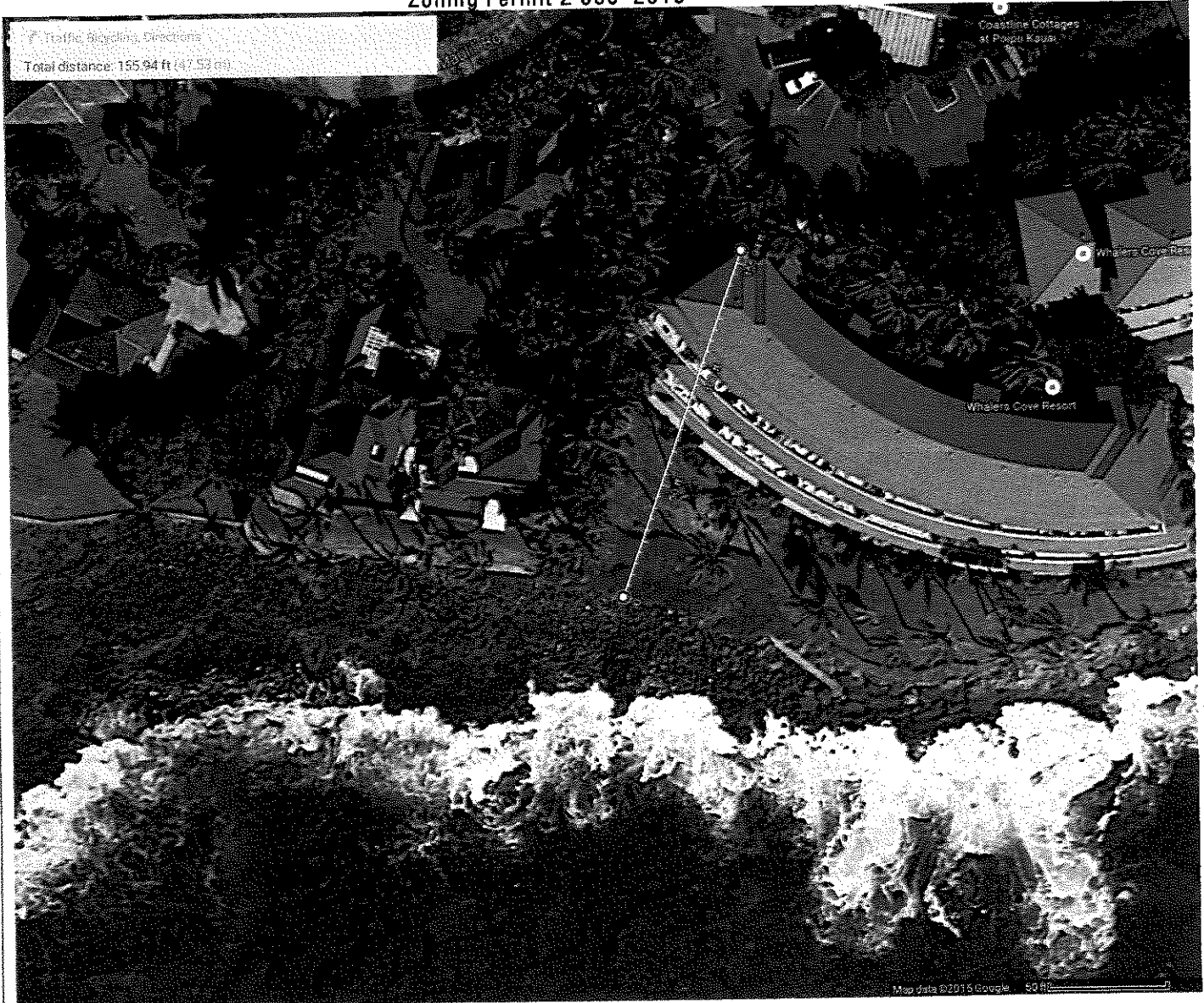
3-19-15
Date

ADAM BROWN ARCHITECTURE

3145 A Akahi St. Lihue, HI. 96766
PO Box 1498, Kapaa, Kaua'i, Hawai'i 96746
Phone: (808) 652-9440 • Email: Bwaybrown@gmail.com

FEBRUARY 20, 2015

Steve Schueppert Unit #120 Whalers Cove
Building Permit #15-84
Zoning Permit Z 665-2015



Approximate distance to unit #120 area of improvement is 155'.
Interior remodel of existing bathroom less than 100SF.
There is no exterior work. Interior only.
Unit #120 building permit #15-84 EPR has been approved by all agencies to date except planning.

ARCHITECTURAL SERVICES • PLANS • CONSULTING

ADAM BROWN ARCHITECTURE

3145 A Akahi St. Lihue Hawai'i 96744
PO Box 1498, Kapaa, Kaua'i, Hawai'i 96746
Phone: (808) 652-9440 • Email: Bwaybrown@gmail.com

Steve Schueppert
2640 Puuholo Rd 444 Wrightwood Ave #C
Koloa, Hi. 96756 Chicago, Il. 60614

Dec.15, 2014

Department of Planning & Building Division
County of Kauai
4444 Rice Street
Lihue, Hi 96766

SUBJECT: Agent Authorization
 TMK (4) 2-6-007: 013 0009

To whom it may concern:

Authorized representative pertaining to the property at the above TMK is:

Adam Brown
ADAM BROWN ARCHITECTURE llc
3145a Akahi St.
Lihue, 96766

P.O. Box 1498
Kapa'a, HI 96746
voice: 652-9440
email: bwaybrown@gmail.com

Steve Schueppert


Property Owner

1/14/15
Date

Property Owner

Date

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February 3, 2015

Yochi Interiors
Barb Cameron
3145 A Akahi St.
Lihue, HI 96766

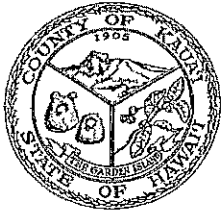
RE: WHALER'S COVE UNIT 120, MASTER BATHROOM REMODEL

Aloha Barb,

On behalf of the Board, the plans submitted for the master bathroom remodel for Whaler's Cove Unit 120 has been approved. You may proceed with the project as outlined.

Sincerely,

Marianne Martin, GM
Whaler's Cove Management



MEMORANDUM

TO: MICHAEL DAHLIG, PLANNING DIRECTOR

FROM: *M* MICHAEL MOULE, P.E., CHIEF ENGINEERING DIVISION

DATE: MARCH 13, 2015

SUBJECT: SHORELINE SETBACK APPLICATION
FOR TAX MAP KEY NO. (4) 2-6-007: 013 0009
WHALERS COVE UNIT 120
SUBSTANTIAL IMPROVEMENT DETERMINATION

Whaler's Cove Unit No 120 is located in Building No. 1 at Whalers Cove. The Department of Public Works has completed a review of Building Permits and Real Property records for Building No. 1 and has determined that the proposed improvements associated with the subject Shoreline Setback application do not constitute a Substantial Improvement as defined in Section 8.27.2 of the Shoreline Setback Ordinance (Ordinance No. 979).

The cost of improvements compared to the market value is summarized as follows:

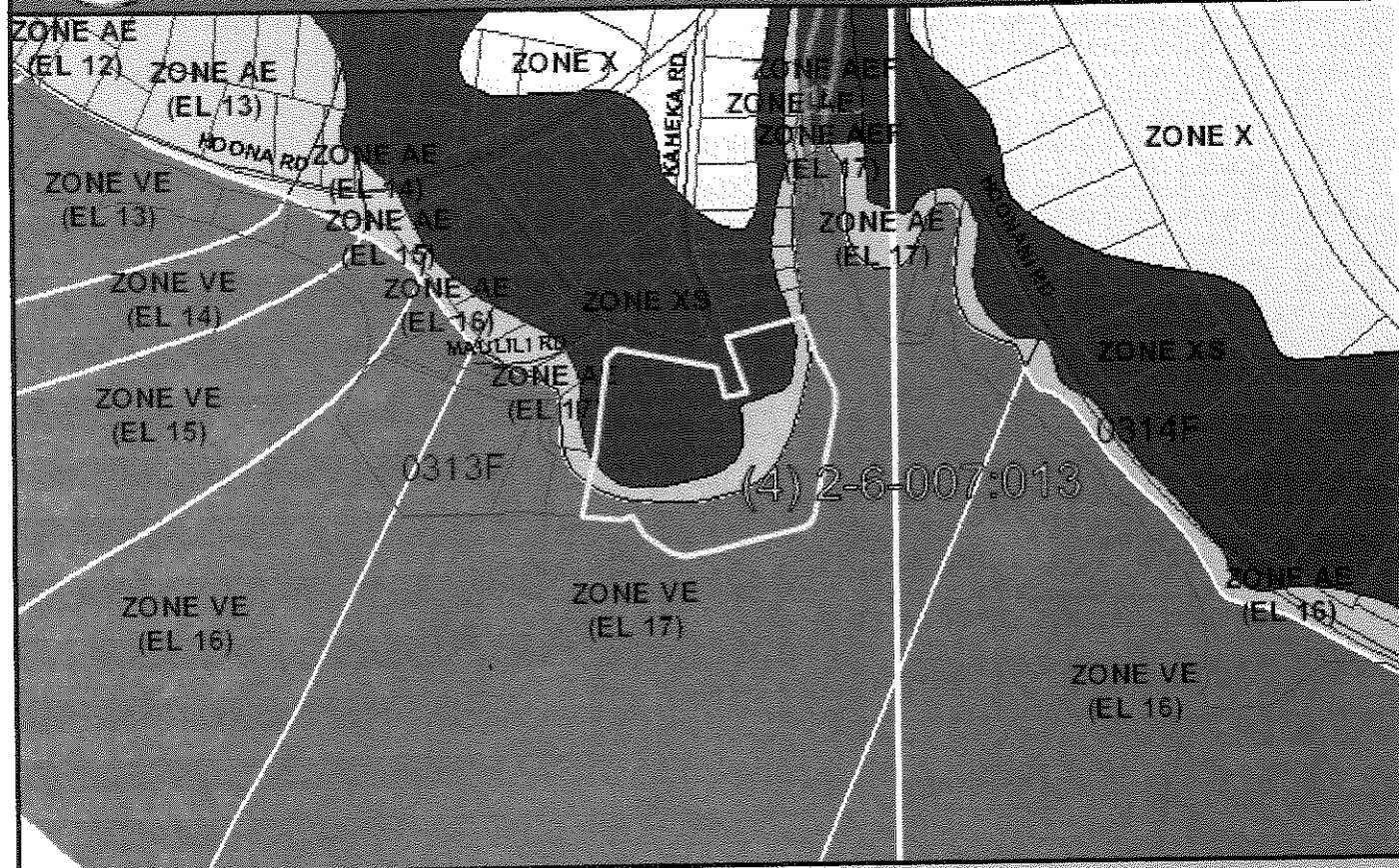
$$\frac{\text{Cost of Improvements (past 10 years): } \$236,700}{\text{*Market Value (Real Property): } \$30,935,700} = 0.008 \text{ or } 0.8\%$$

Should you have any questions, contact Stanford Iwamoto at 241-4896 or siwamoto@kauai.gov.

SI
cc: Design and Permitting










State of Hawaii FLOOD HAZARD ASSESSMENT REPORT





NATIONAL FLOOD INSURANCE PROGRAM

FLOOD ZONE DEFINITIONS


SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD – The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

-  **Zone A:** No BFE determined.
-  **Zone AE:** BFE determined.
-  **Zone AH:** Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
-  **Zone AO:** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
-  **Zone V:** Coastal flood zone with velocity hazard (wave action); no BFE determined.
-  **Zone VE:** Coastal flood zone with velocity hazard (wave action); BFE determined.
-  **Zone AEF:** Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA – An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

-  **Zone XS (X shaded):** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
-  **Zone X:** Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

-  **Zone D:** Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

PROPERTY INFORMATION

COUNTY: KAUAI
TMK NO: (4) 2-6-007-013
PARCEL ADDRESS: 2640 PUUHOLO RD
KOLOA, HI 96756
FIRM INDEX DATE: NOVEMBER 26, 2010
LETTER OF MAP CHANGE(S): NONE
FEMA FIRM PANEL(S): 1500020313F
PANEL EFFECTIVE DATE: NOVEMBER 26, 2010

PARCEL DATA FROM: JANUARY 2012
IMAGERY DATA FROM: MAY 2005

IMPORTANT PHONE NUMBERS

County NFIP Coordinator
County of Kauai
Stanford Iwamoto, P.E. (808) 241-4896
State NFIP Coordinator
Carol Tyau-Beam, P.E., CFM (808) 587-0267

Disclaimer: The Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use of the information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR from any liability, which may arise from its use.

If this map has been identified as "PRELIMINARY" or "UNOFFICIAL", please note that it is being provided for informational purposes and is not to be used for official/legal decisions, regulatory compliance, or flood insurance rating. Contact your county NFIP coordinator for flood zone determinations to be used for compliance with local floodplain management regulations.